

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

OHIO VALLEY ENVIRONMENTAL
COALITION, INC., WEST VIRGINIA
HIGHLANDS CONSERVANCY, INC.,
and SIERRA CLUB,

Plaintiffs,

APPALACHIAN HEADWATERS, INC.,

Nonparty in whose favor an order has been entered,

v.

CIVIL ACTION NO. 3:11-0115

ERP ENVIRONMENTAL FUND, INC.

Defendant,

VCLF LAND TRUST, INC.,

Nonparty against whom an order may be enforced.

ORDER

Plaintiffs have notified the Court that, as a result of a settlement agreement, they are withdrawing their Motion for Order to Show Cause, ECF No. 197. As a result, Plaintiffs filed a motion requesting the Court vacate its April 20, 2020 Order, ECF No. 201, which required service of the Motion for Order to Show Cause on Harold Ward and ordered Ward to respond within seven days of service. Because of the parties' settlement agreement, the Court **DENIES AS MOOT** Plaintiffs' Motion for Order to Show Cause, ECF No. 197, **GRANTS** Plaintiffs' Motion to Vacate, ECF No. 202, and **VACATES** its April 20 Order, ECF No. 201.

The Court **DIRECTS** the Clerk to send a copy of this written Order to counsel of record and any unrepresented parties.

ENTER: April 27, 2020

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', is written over a horizontal line.

ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE